

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 910 - HB 1729**

March 29, 2011

**SUMMARY OF BILL:** Prohibits the sale of products or devices containing or delivering nicotine for human consumption, other than a product or device that contains tobacco and is intended for human consumption. Permits the sale of any such product or device that has been approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes. Creates a Class B misdemeanor offense for selling such prohibited products or devices, specifying that each day a violation occurs constitutes a separate offense. Authorizes the court to impose a civil penalty in an amount not to exceed \$10,000 for each violation.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.
- According to the District Attorneys General Conference (DAGC), the inclusion of electronic cigarettes under the tobacco products statutes should have no impact and the new misdemeanor will have minimal impact on the case loads of the DAGC.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White".

James W. White, Executive Director

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